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26 November 1946

MEMORANDUM TO THE DIRECTOR OF CENTRAL INTELLIGENCE:

Subject: Suggestions by Captain Clifford for Proposed C.I.G. Legislation

References: a. Memorandum for General Vandenberg from Clark M. Clifford, Special Counsel to the President, dated July 12, 1946, subject "Proposed Bill for the establishment of a Central Intelligence Agency," copy attached, containing suggested corrections in connection with the draft of legislation submitted to the White House at that time.

b. Current Draft of proposed C.I.G. legislation, prepared by Legislative Liaison Branch, C.I.G., November, 1946.

1. It should be noted that while there have been changes in the Current Draft of legislation from the Executive Letter of January 22, 1946, these changes have been based on the experience of the last ten months and on the administrative facilities available, but they do not change the interdepartmental relationships conceived in the original Presidential letter of 22 January 1946.

2. Reference memorandum points out the indiscriminate use of such undefined terms as "Intelligence," "Foreign Intelligence," and "Strategic and National Policy Intelligence," which appeared to be confusing. The Current Draft has eliminated these phrases and restricted itself to the use of the terms "Foreign Intelligence" and "Foreign Intelligence Information," both of which terms have been completely defined in Section 2 of the Current Draft, in accordance with the accepted C.I.G. terminology. In addition the terms "national intelligence" and "national intelligence mission" have been used. The national intelligence mission is set forth in Section 1 (a) of the Current Draft.

3. Reference memorandum refers to the failure to distinguish between "Intelligence," and "Foreign Intelligence" with the possible result that suspicions could be aroused that the Central Intelligence Agency might attempt to control the F.B.I. and other intelligence activities not originally contemplated. As pointed out in paragraph 3 above, this objection has been met by the strict use of the terms "Foreign Intelligence" and "Foreign Intelligence Information".

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4. Reference memorandum indicates that the functions and duties of the M.I.A. were not specified. These functions and duties are set forth in detail in Sections 3 (a) (6), (7), and (8) of Current Draft.

5. Reference memorandum states that original draft did not provide for a Director of Central Intelligence. This position is provided for in Section 3 (c) (1) of current Draft.

6. Reference memorandum indicates certain contradictions in the sections referring to Central Intelligence Agency relationships with other governmental departments and agencies. These contradictions are eliminated in accompanying draft (Section 4 (c)).

7. Reference memorandum states that there are no "findings" in Section 1 (a). It is felt that the Current Draft now includes findings in Section 1 (a). "Findings and Declaration" is standard legislative language.

8. Reference memorandum suggests in connection with Section 1 (b) the use of the phrase "A program for the analysis and evaluation of foreign intelligence." Section 1 (b) (4) of Current Draft reads: "A program of evaluation, correlation, and interpretation of the foreign intelligence information collected, ..." In view of the fact that the term "evaluation, correlation, and interpretation" is defined in Section 2 of the Current Draft as the component parts of research, it is felt that the present phraseology is more complete, and therefore preferable to that suggested in reference memorandum.

9. Reference memorandum suggests in connection with Section 1 (c) the use of the phrase "A program for distribution of intelligence material to appropriate Government officials." In Section 1 (c) (1) of the Current Draft the phrase "A program for dissemination to the President and the appropriate departments and agencies of the Federal Government of the intelligence produced" is used. It is felt that the word "dissemination" is preferable to "distribution" in view of the fact that dissemination is the term widely and most generally used in connection with intelligence. It is further felt that the use of the phrase "appropriate departments and agencies" is preferable in this instance to appropriate Government officials."

10. Reference memorandum suggests that there should be included "A program to procure all available foreign intelligence and to take such other measures in the field of foreign intelligence as will best ensure the national defense." It is felt that Section 1 (c) (3) of Current Draft now sets forth the collection program, and that the other Sub-sections of Section 1 (b) include phraseology similar to that desired.

11. The remaining suggestions of reference memorandum are directed to smaller changes in phraseology.

Walter L. Forzheimer
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